

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, OCTOBER 10, 2002**

PRESENT: Frank A. de la Fe, Hunter Mill District  
Janet R. Hall, Mason District  
John B. Kelso, Lee District  
Ilryong Moon, Commissioner At-Large  
Suzanne F. Harsel, Braddock District  
Ronald W. Koch, Sully District  
Peter F. Murphy, Jr., Springfield District  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Joan M. DuBois, Dranesville District

The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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Commissioner de la Fe MOVED THAT THE DECISION ONLY ON RZ-2002-HM-012, PCA-82-C-056, AND SE-2002-HM-014, H.B.L. INC., BE FURTHER DEFERRED TO A DATE CERTAIN OF OCTOBER 17, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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Commissioner Smyth MOVED THAT THE PUBLIC HEARING ON PCA-84-D-049-5 AND FDPA-84-D-049-6, TYSONS II LAND COMPANY, BE DEFERRED TO A DATE CERTAIN OF JANUARY 16, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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Commissioner Murphy MOVED THAT THE PUBLIC HEARING ON RZ-2002-SP-006 AND FDP-2002-SP-006, ZIA U. HASSAN, BE DEFERRED TO A DATE CERTAIN OF NOVEMBER 20, 2002.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SE-2002-PR-017 - CAPITAL ONE BANK
2. RZ-2002-LE-014 - LITTLE RIVER DEVELOPMENT CORPORATION
3. RZ-2001-LE-048/FDP-2001-LE-048 - CENTEX HOMES
4. PCA-81-D-045-3 - GREENSBORO CENTER L.P.  
SEA-82-D-038-3 - GREENSBORO CENTER L.P.

This order was accepted without objection.

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SE-2002-PR-017 - CAPITAL ONE BANK - Appl. under Sect. 9-620 of the Zoning Ordinance to permit waiver of certain sign regulations. Located in the N.E. quadrant of I-495 and Route 123 on approx. 26.71 ac. of land zoned C-3 and HC. Tax Map 29-4 ((5)) A2. PROVIDENCE DISTRICT. PUBLIC HEARING.

Ms. Hillary Zahm, with Cooley Godward L.L.P., reaffirmed the affidavit dated September 19, 2002. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Zahm stated that Capital One was nearing completion of the first phase of its four-phase corporate headquarters at Tysons Corner. She said the site had been carefully selected based on its convenient location, available infrastructure, and future Metro rail extension. She noted that the elevation of the site and the height and mass of the buildings necessitated a waiver of certain sign regulations to ensure that the signs would be visible and in proportion to the scale of the buildings. She explained that the proposed building-mounted monument and directional signs would provide identification and assist visitors and employees in navigating the office park. She said the applicant had worked closely with residents of the Regency at McLean and the Encore of McLean and that most, if not all, of their concerns had been resolved. She requested the Planning Commission's favorable consideration.

Commissioner Smyth commented that the residents of the Regency and the Encore would like to see the lighting of the buildings dimmed. Ms. Zahm indicated that the lighting was related to construction and moving tenants in, but that the lights would be dimmed soon.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-2002-PR-017, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 9, 2002.

Commissioners Wilson and Hall seconded the motion carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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RZ-2001-LE-048/FDP-2001-LE-048 - CENTEX HOMES -Appls. to rezone from R-1 to PDH-3 to permit residential development at a density of 2.36 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the N. side of Telegraph Rd., approx. 200 ft. S.W. of the intersection of Telegraph Rd. and Old Telegraph Rd. on approx. 9.31 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 100-1 ((1)) 22; 100-1 ((6)) 1 and 100-1 ((8)) 1. LEE DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith, LLP, reaffirmed the affidavit dated September 11, 2002. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted staff recommended denial of the application due to unresolved transportation issues and because the density was too great.

Ms. Johnson responded to questions from Commissioner Smyth about the density penalty calculation and from Commissioner Wilson about tree preservation.

Mr. Lawrence stated that trees would be lost if Telegraph Road were widened as currently planned. He said because there was a good possibility the alignment would be shifted, the applicant had proffered to reserve right-of-way rather than to dedicate it. He pointed out that until funds were available and the final alignment of Telegraph Road was determined, the

community would be able to enjoy the trees. He noted that the Lee District Land Use Advisory Committee supported the application as presented tonight. He said numerous changes had been made to the proposed development since the staff report had been published in June to address both staff and citizen concerns. He explained that the applicant had agreed to reforest an area in the EQC and that proffers provided for the reduction or elimination of the size of the stormwater facility utilizing best management practices. He said Development Condition Number 2, requiring the applicant to obtain FDP approval if any retaining wall was over four feet in height, was unnecessarily burdensome and that Development Conditions Numbers 3 and 4, concerning removal of debris from the RPA and the reforestation plan, were addressed in the proffers.

Responding to a question from Commissioner Hall, Ms. Johnson said that in spite of changes to the original plan, staff was still recommending denial because it believed that the development was too dense for the site. Commissioner Hall suggested that Development Condition Number 2 be revised to state a maximum height for the retaining walls.

In response to a question from Commissioner Wilson, Mr. Lawrence said that driveways would be 18 feet in length. Responding to another question from Commissioner Wilson, Mr. Lawrence said a proffer could be added requiring that buyers be notified, prior to entering into a sales contract, that the future widening of Telegraph Road did not provide for a median break at the subdivision entrance and that turning movements into the site may be limited in the future to right in/right out only.

Commissioner Kelso commented that the final alignment of Telegraph Road was undecided at the present time and probably would not take place for seven to twelve years. He said Lee District Supervisor Dana Kaufmann was working with Fort Belvoir to shift the alignment toward their property in order to save trees. He said proffers addressing these issues were acceptable to him and to Mr. Kaufmann. Commissioner Kelso also said he was going to recommend that Development Condition Number 2 be revised to state that if the walls were in excess of six feet, approval would be required by the Lee District Planning Commissioner, not the Planning Commission as a whole.

In response to a question from Commissioner Wilson, Ms. Johnson said staff would prefer that right-of-way be dedicated whereas the applicant preferred that it be reserved and dedicated upon demand by the Board of Supervisors.

Mr. Lawrence responded to a question from Commissioner Harsel about the adequacy of guest parking.

Responding to questions from Commissioner Harsel, Ms. Johnson said that according to the proposed proffers, if the widening of Telegraph Road was not funded within 15 years from the date of the proffers, or deleted from the Comprehensive Plan, whichever occurred first, the applicant would not be obligated to dedicate the right-of-way. She added that if the alignment was not shifted toward the Fort Belvoir property and widening of the road occurred after the 15 year period, the County could end up having to buy the right-of-way from the homeowners.

In response to a question from Commissioner Wilson, Ms. Johnson said that if the right-of-way was dedicated but the road was not built within 15 years, the homeowners could move to vacate the right-of-way, if they wanted to take the time, effort and expense of doing so.

Responding to a question from Commissioner Kelso, Ms. Johnson said that the applicant had not agreed to escrow money for frontage improvements.

Chairman Murphy called for speakers, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on this application. (A verbatim transcript is in the date file.)

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Commissioner Kelso MOVED THAT WE DEFER THE DECISION ON RZ/FDP-2001-LE-048, CENTEX HOMES, TO A DATE CERTAIN OF OCTOBER 24, 2002.

Commissioners Hall and Wilson seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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RZ-2002-LE-014 - LITTLE RIVER DEVELOPMENT CORPORATION -  
Appl. to rezone from R-2 and HC to R-12 and HC to permit residential development at a density of 7.6 dwelling units per acre (du/ac). Located on the N. side of Holly Hill Rd., approx. 500 ft. W. of its intersection with Richmond Hwy. on approx. 8.87 ac. of land. Comp. Plan Rec: 5-12 du/ac. Tax Map 92-4 ((1)) 28 – 32, 35, 36 and 39. LEE DISTRICT. PUBLIC HEARING.

Mr. Andrew Somerville, with Little River Development Corporation, reaffirmed the affidavit dated September 23, 2002. There were no disclosures by Commission members.

Ms. Mavis Stanfield, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to a question from Commissioner Harsel, Ms. Johnson said that the proposed density was 7.6 dwelling units per acre. She added that the reason for the request to rezone it to R-12 was because the density would have to be reduced to 4.5 to 5 dwelling units at R-8 due to the marine clay soil.

In response to a follow-up question from Commissioner Harsel, Ms. Johnson said that although the requested R-12 zoning was a density range that exceeded the recommendations of the Comprehensive Plan, density restrictions imposed due to the presence of marine clay soil

brought the density down to 7.6 dwelling units per acre. She added that an R-8 zoning would result in a density of 4.5 to 5 dwelling units per acre which would most likely make development of the property economically infeasible.

Lee Fifer, Esquire, with McGuire Woods, LLP, appearing on behalf of the applicant, stated that the subject property was difficult to develop due to the presence of marine clay soils. He said the applicant had worked closely with the Lee District Land Use and Transportation Advisory Committee on the development of the property, which was badly in need of attention. He explained that the only alternative to the proposal would be for the applicant to abandon the project. He said the property, surrounded on two sides by R-20 development, would be an appropriate transition to the single family development to the north. He said proffers provided for the full dedication and construction of a section of Holly Hills Road and the relocation of an existing bus stop on Richmond Highway.

Commissioner Kelso noted that this case was scheduled to be reviewed by the Lee District Land Use and Transportation Advisory Committee on Monday, October 14, 2002, therefore he would be deferring decision after the close of the public hearing to Thursday, October 24, 2002.

Mr. Fifer and Mr. David McElhaney, with Urban Engineering and Associates, Inc., responded to questions from Commissioner Moon about density calculations. Commissioner Moon pointed out that if the property were zoned R-8, a density of 5.2 would be permitted, which would be in conformance with the Comprehensive Plan density range of 5-12 dwelling units per acre.

Chairman Murphy called the listed speaker and recited rules for testimony before the Commission.

Mr. Eugene Windchy, 3425 Spring Drive, Alexandria, a member of the Groveton Civic Association, presented a petition signed by residents objecting to the proposed development because it would place an additional burden on County services, increase traffic and stormwater runoff, and would result in the loss of trees. (The original petition is in the date file.)

Ms Stanfield responded to a question from Commissioner Wilson about the open space requirements for R-8 and R-12 developments and about structural requirements for building on marine clay.

There were no further speakers. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on this application. (A verbatim transcript is in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON RZ-2002-LE-014 TO A DATE CERTAIN OF OCTOBER 24, 2002 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Wilson seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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PCA-81-D-045-3 - GREENSBORO CENTER L.P. - Appl. to amend the proffers for RZ-81-D-045 previously approved for office use to permit additional square footage to an existing office to accommodate a child care center with an overall Floor Area Ratio (FAR) of 1.33. Located in the S.W. quadrant of the intersection of Spring Hill Rd. and Greensboro Dr. on approx. 7.40 ac. of land zoned C-4 and HC. Comp. Plan Rec: Office. Tax Map 29-3 ((1)) 63C. (Concurrent with SEA-82-D-038-3.) PROVIDENCE DISTRICT.

SEA-82-D-038-3 - GREENSBORO CENTER L.P. - Appl. under Sect. 9-607 of the Zoning Ordinance to amend SE-82-D-038 previously approved for increase in building height to permit addition of square footage to an existing office. Located at 8401 and 8405 Greensboro Dr. on approx. 7.40 ac. of land zoned C-4 and HC. Tax Map 29-3 ((1)) 63C. (Concurrent with PCA- 81-D-045-3.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated September 9, 2002. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Johnson responded to a question from Commissioner Wilson about access to the child care center.

Mr. Martin stated that the applicant was requesting approval of a proffered condition amendment to increase the permitted gross floor area for an existing office complex. He said the space had originally been assumed to be cellar space and was not included in the FAR calculation. He explained that Bright Horizons, the childcare provider, was anxiously awaiting approval so they could open for business. He said the proposal was an innovative use of the space which also included a fitness center, a deli and a management office. He noted that all transportation issues had been resolved and requested a favorable recommendation.

In response to a question from Commissioner Harsel, Mr. Martin said the use of the childcare center was not restricted to the tenants of the building.

Responding to a question from Commissioner Wilson, Mr. Martin said the outdoor play area on the parking deck did not count towards FAR because it was not an enclosed structure.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-81-D-045-3, SUBJECT TO THE PROFFERS NOW DATED OCTOBER 10, 2002.

Commissioners Hall and Wilson seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-82-D-038-3, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2.

Commissioners Hall and Wilson seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD REAFFIRM WAIVERS OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE EASTERN BOUNDARY IN FAVOR OF THAT SHOWN ON THE PCA/SEA PLAT AND THE WAIVER OF THE TRAIL ALONG SPRINGHILL ROAD.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn, Byers and DuBois absent from the meeting.

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The meeting was adjourned at 10:11 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary



CLOSING

October 10, 2002

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: September 9, 2004

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Linda B. Rodeffer, Clerk to the  
Fairfax County Planning Commission